

BOARD OF COUNTY COMMISSIONERS
COUNTY OF CENTRE
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE 5 of 2019

AN ORDINANCE REAFFIRMING AND RATIFYING THE COUNTY OF CENTRE'S PARTICIPATION IN THE PENNSYLVANIA COUNTIES' RISK POOL AND THE EXECUTION OF THE INTERGOVERNMENTAL AGREEMENT PURSUANT TO THE PENNSYLVANIA INTERGOVERNMENTAL COOPERATION LAW, AS AMENDED

WHEREAS, the Intergovernmental Cooperation Law, Act No. 177 of December 19, 1996, P.L. 1158, as amended, 53 Pa.C.S. § 2301 et. seq. (the "Law"), authorizes local governments, including counties, to jointly cooperate and enter into joint agreements with other counties in the performance of their governmental functions, powers or responsibilities; and

WHEREAS, certain counties established the Pennsylvania Counties' Risk Pool ("PCoRP") pursuant to the Law for the purpose of, inter alia: (a) providing a joint risk management pool to assist members in preventing and reducing losses and injuries to county property and to persons or property which might result in claims being made against members of PCoRP, or their employees and officers; (b) creating an entity in perpetuity which will administer a joint risk management pool and using funds contributed by members to defend and indemnify, in accordance with the Bylaws and Intergovernmental Agreement of PCoRP, any member of PCoRP against stated liability or loss, to the limit of the financial resources of PCoRP; and providing continuing stability and availability of needed coverages at reasonable costs, as is more fully set forth in the Bylaws and Intergovernmental Agreement; and

WHEREAS, the County of Centre (the "County") is a member of PCoRP, as the County's Board of Commissioners ("Board") previously determined that it was in the best interests of the County to enter into an intergovernmental cooperation agreement and become a member of PCoRP; and

WHEREAS, through this Ordinance, the Board has determined to reaffirm that determination and to ratify all action previously taken by the County with respect to its membership and participation in PCoRP.

NOW, THEREFORE, the Board does hereby enact and ordain as follows:

Section 1. The Board hereby reaffirms and ratifies its membership in PCoRP. The Bylaws and Intergovernmental Agreement of PCoRP, which are attached hereto as Exhibit "A," are ratified, affirmed and approved substantially in the form attached hereto, the terms of which are incorporated herein by reference. The Board hereby authorizes and directs its Chair to execute the Bylaws and Intergovernmental Agreement of PCoRP. The Board also ratifies the execution of any other agreement that was necessary for its participation in PCoRP, and further authorizes its Chair to execute any other agreement necessary for the County's continued participation in PCoRP.

Section 2. This Ordinance and the Bylaws and Intergovernmental Agreement approved and adopted constitute a binding agreement and shall be sufficient warrant and authority for the officials and agents as appointed by the County to participate and represent the County's interests in PCoRP.

Section 3. As a condition of participating in PCoRP, the County previously agreed to comply with all the terms and conditions in the Bylaws and Intergovernmental Agreement, and that agreement is reaffirmed and ratified by this Ordinance.

Section 4. The duration of the Bylaws and Intergovernmental Agreement is indefinite, but is subject to the right of any member county to terminate its participation as set forth therein and subject to the provisions of those documents.

Section 5. The purpose and object of the Bylaws and Intergovernmental Agreement are as set forth therein.

Section 6. The organizational structure of PCoRP consists of a Board of Directors, all as is set forth in the Bylaws and Intergovernmental Agreement.

Section 7. The County reaffirms and ratifies its delegation to the Board of Directors of PCoRP the powers enumerated in the Bylaws and Intergovernmental Agreement.

Section 8. Any contributions required to be paid pursuant to the Bylaws and Intergovernmental Agreement shall be made with funds appropriated by the County for that purpose, and the County ratifies any such sums previously paid.

Section 9. On behalf of the County, PCoRP is empowered to enter into any contract necessary to effectuate its purposes, and any contract entered into by PCoRP to date is hereby ratified and affirmed.

Section 10. Any real or personal property to be owned, or owned, by PCoRP shall be acquired, managed, licensed or disposed of as determined by the Board of Directors of PCoRP.

Section 11. The Bylaws and Intergovernmental Agreement may be modified or amended, as provided in the documents.

Section 12. This Ordinance is being enacted pursuant to the provisions of the Intergovernmental Cooperation Law, Act No. 177 of December 19, 1996, P.L. 1158, as amended, 53 Pa.C.S. § 2301, et seq.

Section 13. This Ordinance shall take effect immediately.

ENACTED AND ORDAINED this 3rd day of December, 2019.

CENTRE COUNTY BOARD OF COMMISSIONERS

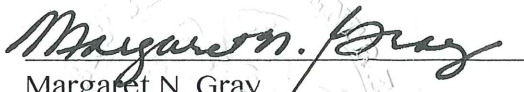

Michael Pipe, Chair


Mark Higgins, Commissioner


Steven G. Dershem, Commissioner

The above is a true and correct copy of the proposed Ordinance as advertised for adoption on December 3, 2019.

ATTEST:


Margaret N. Gray,
Administrator

